



Glavin PLLC
156 W. 56th Street, Suite 2004
New York, NY 10019

glavinpllc.com
646.693.5505

January 28, 2025

VIA ECF

The Honorable Jennifer H. Rearden
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Sergey Shestakov, 23 Cr. 16 (JHR)

Dear Judge Rearden:

I represent Sergey Shestakov and write pursuant to the Court's request at yesterday's conference to provide the instant messages the government produced to the defense on December 18, 2024, indicating that Charles McGonigal was working with the Central Intelligence Agency after his 2018 retirement from the FBI. Those messages are attached as Exhibit A. The government represented that it obtained these instant messages from a search of Mr. McGonigal's phone. In these messages, Mr. McGonigal is communicating with an individual about a number of topics, including his travel in Kiev and Vienna. The pertinent message is dated July 13, 2019, in which Mr. McGonigal states: "We are doing this with the agency." We understand that the reference to the "agency" to mean the CIA, as the CIA is often referred to as "the agency," particularly among members of the intelligence community.¹

Respectfully submitted,

/s/ Rita M. Glavin
Rita M. Glavin

¹ For example, a book on the history of the CIA is entitled "The Agency." See John Ranelagh, *The Agency; Rise and Decline of the CIA From Wild Bill Donovan to Willaim Casey* (1986).